

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya**

Civil Action No: 12-cv-03327-RM-KMT
Courtroom Deputy: Sabrina Grimm

Date: January 27, 2014
FTR: Courtroom C-201

Parties:

MATTHEW BUNTING,

Plaintiff,

v.

PREFERRED HOMECARE,

Defendant.

Counsel:

Jason Jordan

Cash Parker
Lance Eberhart
Robert McCormick

COURTROOM MINUTES

MOTION HEARING

1:28 p.m. Court in session.

Court calls case. Appearances of counsel.

Discussion and argument regarding truck-mounted vessel (TMV), late disclosure of the incident report, alleged destruction of evidence, potential prejudice, remedy, liability issues, and role of pressure building valve.

ORDERED: Plaintiff's Motion for Sanctions Pursuant to Fed. R. Civ. P. 37 [56] is GRANTED. Plaintiff is awarded its reasonable costs incurred in making the motion, including attorney's fees. Also awarded are the fees and extra expenses incurred, if any, to bring the matter to Plaintiff's expert's attention, as stated on record. Plaintiff is directed to file an itemization of costs associated with the preparation and presentation of the motion, including the reply to the motion and the preparation of the itemization of costs, with the Court on or before February 3, 2014. Any objections to the reasonableness of the amounts claimed shall be filed on or before February 10, 2014.

Discussion and argument regarding maintenance of vessel and alleged misrepresentations by Defendant.

ORDERED: Plaintiff's Motion for Sanctions Pursuant to Fed. R. Civ. P. 11 [62] is DENIED, for reasons stated on record.

3:10 p.m. Court in recess.

Hearing concluded.

Total in-court time 01:42

*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.